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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

NOV 20 1975

In the Matter of

Replacement of Part 90 by Part 88 to
Revise the Private Land Mobile Radio
Services and Modify the Policies
Governing Them

and

Examination of Exclusivity and
Frequency Assignment Policies of
the Private Land Mobile Radio Services

PR Docket No. 92-235

To: The Commission

**COMMENTS OF ALARM INDUSTRY COMMUNICATIONS COMMITTEE
ON CONSOLIDATION OF RADIO SERVICES**

The Alarm Industry Communications Committee (AICC), by its attorney, and pursuant to Rule Section 1.429, submits the following comments with respect to the Commission's request for a plan for consolidation of the various radio services into a smaller number of service pools.

Background

In the Report and Order in this proceeding, the Commission has indicated its intention to consolidate the various private radio services from 20 separate services into a smaller number of pools. The Commission indicated that grouping the services into two to four pools, one of which would be a public safety pool, appears to be reasonable, although a different number of pools might be acceptable with appropriate justification. The Commission indicated

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that it wanted to consolidate these services to eliminate the delays and expense in the current system of interservice sharing of frequencies, and that increased competition among frequencies coordinators may also benefit the public.

AICC is the communications branch of an industry group representing the interests of the alarm industry. Its related entity, the Central Station Alarm Association (CSAA), performs frequency coordination functions for central station radio operations. The alarm industry uses five pairs of Business Radio Service frequencies in the 450-470 MHz band, as well as the 12.5 kHz offset channels that fall between them, for voice and data communications. The frequencies are heavily used for transmission of burglar, fire and other emergency alarm signals from protected premises to centrally located alarm monitoring facilities operated by its members.

Comments

AICC has participated in meetings with other frequency coordinators and user groups over the last several months. It is clear that the industry is having a great deal of difficulty in coming to a consensus on how the frequency pools should be structured, and that the Commission will receive a number of plans for consolidation.

AICC believes that the difficulty the industry has in reaching a consensus on consolidation is a clear indication that pooling of the various radio services into a smaller number may make the

present situation worse. AICC has joined with several other entities in submitting comments in this matter indicating that it believes there is no need for consolidation of the various radio services.

AICC agrees that interservice coordination of frequencies has encountered some minor difficulties in certain instances. However, many of these problems result from the nature of the current coordination process and FCC rule requirements. For example, the current regulations only provide for interservice frequency sharing if (1) the frequency coordinator in the service in which an application is filed certifies that it has no suitable frequencies to recommend, and (2) the frequency coordinator in the service in which a frequency is sought determines that the frequency is unassigned in the area. Under this process, a frequency that is lightly loaded cannot be recommended for interservice sharing. If the Commission's goal is to make frequencies more readily available for sharing, it should change the regulations to make it easier for frequency coordinators to recommend frequencies from other radio services. However, the frequency coordinator for the service in which the frequency is primarily allocated should have the opportunity to comment on the suitability of the frequency selection. If there is a disagreement between the frequency coordinators, the Commission should exercise its regulatory responsibility and make the final determination.

Furthermore, consolidating radio services and making frequency coordinators compete with each other causes complications. For

example, a single common database would have to be established and maintained for such a system to work effectively. The frequency coordinators would have to raise their rates in order to establish and support such a system. Such a system would also allow a person who disagrees with a frequency recommendation to "shop around" for a frequency coordinator who is more likely to recommend the frequency desired by the applicant. This may then cause the original frequency coordinator to petition the Commission to deny the application, thereby increasing the Commission's workload.

The fact that there have been difficulties in the sharing of frequencies does not justify discontinuing a system that has generally worked well over many years. By maintaining the current group of radio services, each of which has a dedicated frequency coordinator recognized by the Commission, the public is well served. The frequency coordinator is representative of the persons eligible for its radio service and knows well whether sharing among the various applicants is possible. This judgement would be lost if applicants could shop around to any of the current frequency coordinators, who may then make frequency selections solely on the basis of technical characteristics and not take into account operational factors that may make it easier for applicants to share frequencies.

In the event that the Commission is committed toward consolidating the radio services into a smaller number of pools, nonetheless, AICC submits the following comments on an alternative plan for the pooling of the frequencies AICC currently coordinates.

AICC's comments deal only with the consolidation in which it would participate. Other coordinators and affected users are in a better position to comment on how the other radio services should be consolidated.

First, it is important for the Commission to recognize that the central station alarm service activities of AICC's members are primarily designed to further the public's safety and that their radio operations are directly used to further these safety activities. A more detailed description of the safety operations of AICC and its members is contained in AICC's simultaneously filed comments on the Further Notice of Proposed Rulemaking portion of this proceeding. With this fact in mind, AICC believes the best approach would be to consolidate private users who primarily use their radios for safety purposes into a "private safety" pool. If this is not done, AICC believes it should be consolidated into the public safety pool.

Option 1 - Private Safety Pool

Many of the alarm signals that AICC members receive are detecting a burglary or a fire, which by definition represents a potential life threatening situation. Some of AICC's members also offer a medical alert service, whereby persons with serious medical conditions can summon help by an alarm signal device carried on their person, in case they are unable to reach a telephone. AICC's members work closely with state and local police to respond to

these life threatening situations as quickly as possible, thus saving lives and reducing the risk to the public.

AICC submits that the Commission should create two "safety" pools: the public safety pool, for government agencies, and the "private safety" pool for private entities such as AICC. Both government and private organizations provide services responding to critical, life threatening situations such as accidents, fires, burglaries, and emergency medical problems. The private safety pool would include functions such as central station alarm operations, emergency road service, special emergency services (hospital, doctor, ambulance services, etc.) and other functions that the Commission decides warrant treatment as quasi-public safety operations. AICC believes that the alarm services of its members fall squarely into this category and that these services should be included in a pool which includes entities that perform these important safety functions. In making this proposal, AICC would not expect the private safety pool to gain access to the public safety radio allocations. The purpose of the pool would be to recognize that these private entities provide important services to the public, which services reduce the burdens on governmental entities, and that their current allocations of spectrum should be safeguarded for these reasons. Such pool would be consistent with the Congressional exemption from auction authority (contained in the current version of Budget Reconciliation Act) for "non-Government uses that protect the safety of life, health and

property." See H.R. 2491, 104th Cong., 1st Sess., Section 3001 (1995).

**Option 2 - Include Central Station Alarm
Operations in the Public Safety Pool**

If the Commission disagrees with AICC that it should create a quasi-public safety pool, AICC submits that the services currently provided by its members should be consolidated into the public safety Pool proposed by the Commission. The reason for consolidating these services into the public safety pool is that they are similar to government safety operations, in that they both involve detecting and ensuring adequate response to life threatening situations. The alarm industry has cooperated closely with law enforcement and fire departments over the years. There is no reason to assume that this close cooperation cannot continue in the future, in a single pool, to the benefit of the public. Again, AICC and its members would not expect to gain access to the current public safety channels and would expect that access to the central station channels would be limited to qualified central station alarm operations.

Conclusion

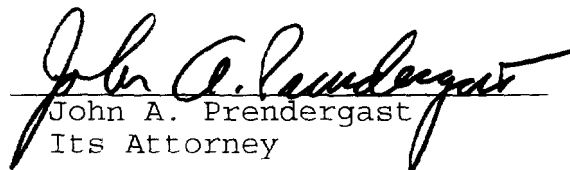
AICC submits that there is no need to consolidate the radio services into two to four pools, as proposed by the Commission. If the Commission nevertheless decides to go forward with the consolidation, AICC suggest that the Commission create two safety pools, one for governmental entities and another for private

entities engaged primarily in safety functions. AICC should be included in the latter category. Finally, if the Commission decides that it will not create this private safety pool, central station operations should be included as a part of the public safety pool.

Respectfully submitted,

ALARM INDUSTRY COMMUNICATIONS COMMITTEE

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